

Comparisons of Financial Costs and Benefits of Various Permanency Options

	Adoption	Guardianship	Third-Party Custody	Long-term Relative/Foster Care
Costs to you to establish?	Upfront attorney fees & costs; later reimbursed up to \$1500; Some regions have limited special funds to help with start up costs prior to reimbursement.	None	Attorneys' fees & costs. You can proceed without a lawyer. You can have filing fees waived if your earnings are low enough.	None
Support for you and the child?	Yes, through adoption support	Foster care payments, if you are licensed or TANF if you are not licensed.	TANF or child support; SSI if the child qualifies	TANF if you are a non-licensed relative or foster care payments if you are a licensed foster parent.
Medical coverage for child?	Yes, through adoption support	Medicaid	If you or the child qualifies for Medicaid	Yes
Tax Credits?	Federal tax credits for costs of adoption + the benefit of an additional dependent	No	No	No
Financial Benefits from Biological Parents?	None	Child retains the right to inherit from his or her parents.	You may collect child support; and the child retains right to inherit from his or her parents.	Child retains right to inherit from his or her parents, unless parental rights are terminated

Legal Comparisons of Various Permanency Options

	Adoption	Guardianship	Third-Party Custody	Long-term Relative/Foster
What are the biological parents' rights?	None, unless open adoption agreement is executed.	Rights are retained; Visitation with parents must be addressed in the guardianship.	Rights may be retained, unless terminated; If rights are retained, visitation must be addressed.	Rights may be retained, unless terminated; If rights are retained, visitation must be addressed.
What is the level of permanency established for the child?	Most permanent option. The child is for all purposes treated as a child of the adoptive family.	Considered to be permanent until the child reaches age 18, but the guardianship can be terminated or modified at any time upon a showing of a substantial change of circumstances and that the modification or termination of the order is in the child's best interest.	Considered to be permanent until the child reaches age 18, unless modified upon a showing of a substantial change of circumstances and that the modification is in the child's best interests.	If there is a long-term foster care or relative care agreement, that agreement will operate until the child reaches age 18, but can be terminated any time prior by the state or by the caregiver; court reviews continue every 6 months.
In which court is the action taken?	Superior Court	Juvenile Division of Superior Court	Superior Court, but if all the parties agree, then the Juvenile Division may enter the order.	Juvenile Division of Superior Court
After establishment, is dependency dismissed?	Yes	No	Yes	No
What legal status does the caregiver have after entry of the order?	Parent	Legal guardian and party in the dependency case.	Custodian.	Foster parent and/or Relative caregiver; Entitled to notice of all dependency proceedings, but not considered to be a party in those proceedings.

Comparison of Services Available for Various Permanency Options

	Adoption	Guardianship	Third-Party Custody	Long-term Relative/Foster Care
Reimbursement for cost of establishing?	Yes – up to \$1500.00	N/A	No	N/A
Cash payments?	Yes, amount negotiated based upon the child's individual needs. Amount may not exceed that which the child would have received had she or he been in licensed foster care.	If licensed foster care provider, yes. Non-licensed relatives, can receive TAN-F	TAN-F or SSI should be explored, but available only if the eligibility guidelines are met	If licensed for foster care, foster care payments are available. If not licensed, TANF eligible for child only.
Counseling for child?	Yes, through Medicaid	Yes, through Medicaid	Only to the extent the child is otherwise Medicaid or CHIPS eligible	Yes
Medical/Dental/Vision services for child?	Yes	Yes	Only to the extent the child is otherwise Medicaid or CHIPS eligible	Yes
Child Care?	May be negotiated as part of the cash support required	Possible up to age 12, if both adults are employed	No, unless provided as part of a TAN-F program	Not usually
Respite Care?	May be negotiated as part of the cash support required	No	No	If licensed foster care provider, yes.
Clothing allowance?	No	No, unless licensed foster care provider. Even then, the issue should be addressed in the order re: guardianship.	No	If licensed foster care provider, yes

